

Remarks

Claims 11–13 and 16–19 are pending in this application. Claims 11–13 and 16–19 stand rejected. Claims 1–10, 14 and 15 have been withdrawn from consideration without prejudice or disclaimer. Applicants reserve the right to pursue the withdrawn claims in a continuing application.

Drawing Objections.

The Examiner has objected to the drawings for failing to show a first motor rotating a first set of louvers in a first desired position, and a second motor rotating a second set of louvers in a second desired position. Submitted herewith is an amended Figure 3A, which schematically shows motors associated with louvered panels 330, 340, and 350. That the louvered panels 330, 340, 350 have associated therewith motors is indicated in paragraph [0040] of the originally filed disclosure. Therefore, no new matter has been added. Applicants respectfully request that the objections to the drawings be withdrawn.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph.

Claims 11–13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner has taken the position that there is no support in the disclosure for a first motor rotating a first set of louvers in a first desired position, and a second motor rotating a second set of louvers in a second desired position.

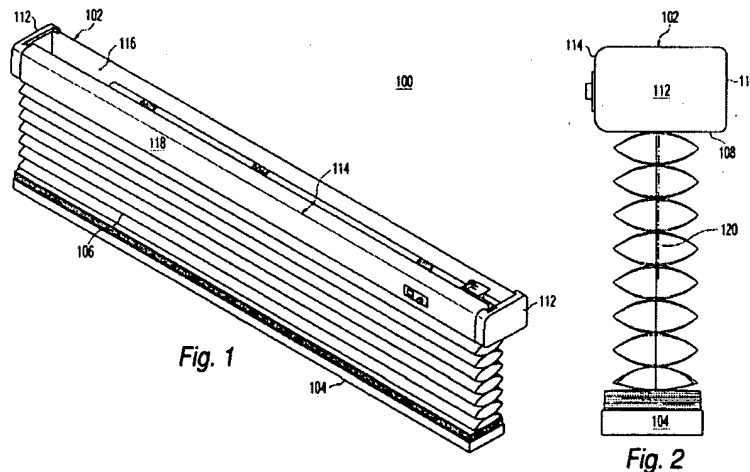
Applicants respectfully traverse this rejection. Paragraph [0040] of the originally-filed specification clearly indicates that the system control module 300 is configured to communicate with a plurality of louvered panels 330, 340, 350, “and specifically with the motor control systems within those louvered panels.” This embodiment is illustrated in Figure 3A of the originally filed disclosure, and is clarified by the drawing amendments

submitted herewith. Therefore, Applicants request that this rejection be withdrawn, and respectfully submit that Claims 11–13 are allowable.

Claim Rejections Under 35 U.S.C. § 102.

Claims 16 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,181,089 ("Kovach '089"). Claims 16 and 17 also stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,369,530 ("Kovach '530") and U.S. Patent 6,259,218 ("Kovach '218"). Applicants note that Kovach '530 is a continuation of Kovach '218, which is a continuation of Kovach '089. Therefore, the disclosures of these three patents are essentially identical; the claims, of course, are different.

Kovach '089 discloses a wireless battery-operated window covering assembly (4:33–35). The assembly includes a motor that drives a rotatably mounted reel around which a lift cord is wound for raising and lowering a shade (4:35–37). As defined in Kovach '089, "shade" refers generally to a window covering that can be raised and lowered (3:67–4:1). Figures 1 and 2, reproduced below, illustrate a shade used with the system described in Kovach '089.



In contrast to the disclosure of Kovach '089, amended Claim 16 recites

Claim 16 (currently amended): A method of controlling a plurality of louvered panels, comprising,
selecting a louvered panel to rotate;
storing information representing the selected louvered panel;
selecting a desired rotation for the louvered panel;
storing information representing the selected desired rotation; and

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transmitting the information representing the selected desired rotation and the information representing the selected louvered panel over a wireless communication medium.

Kovach '089 does not teach these elements. Specifically, the entire disclosure of Kovach '089 is directed to liftable window coverings, such as those illustrated in Figures 1 and 2. While Kovach '089 does disclose a rotatable reel around which a lift cord is wound for raising a lowering a shade, such a reel is not analogous to a rotatable louvered panels. The rotatable reel of Kovach '089 is used to wind and unwind a cord; in contrast, louvered panels are rotatable components of the window covering, or of the window itself. Therefore, Kovach '089 does not disclose or suggest rotatable louvered panels, and indeed would not even work with rotatable louvered panels.

Based on the foregoing, Applicants submit that Kovach '089 does not anticipate Claim 16, and thus respectfully request that this rejection be withdrawn. Furthermore, because Claim 17 depends from Claim 16, Applicants submit that Claim 17 is allowable over Kovach '089 for the same reasons that Claim 16 is allowable over Kovach '089, in addition to reciting further distinguishing features of particular utility.

Claims 16 and 17 also stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kovach '530 and Kovach '218. Applicants note that Kovach '530 is a continuation of Kovach '218, which is a continuation of Kovach '089. Therefore, the disclosures of these three patents are essentially identical; the claims, of course, are different. The Examiner appears to have taken the position that the claims of Kovach '530 and Kovach '218 anticipate Claims 16 and 17 of the present application.

However, "the scope of a patent's claims determines what infringes the patent; it is no measure of what it discloses." *In re Benno*, 768 F.2d 1340, 1346 (Fed. Cir. 1985). Therefore, the scope of the claims of Kovach '530 and Kovach '218 is irrelevant. The claims of Kovach '530 and Kovach '218 do not disclose anything more than what the specification of Kovach '089 discloses.

Applicants thus submit that neither Kovach '530 nor Kovach '281 anticipates Claim 16, and therefore respectfully submit that Claim 16 is allowable over both Kovach '530 and Kovach '218. Furthermore, because Claim 17 depends from Claim 16, Applicant submits that Claim 17 is allowable over both Kovach '530 and Kovach '218 for

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the same reasons that Claim 16 is allowable over both Kovach '530 and Kovach '218, in addition to reciting further distinguishing features of particular utility.

Claim Rejections Under 35 U.S.C. § 103.

Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kovach '089, Kovach '530 or Kovach '218, in view of U.S. Patent 5,326,027 ("Sulfstede"). Claims 17 and 18 depend from Claim 16. Sulfstede does not provide the deficiencies of Kovach '089, Kovach '530 or Kovach '218. Because Claims 17 and 18 depend from Claim 16, Applicants respectfully submit that Claims 17 and 18 are allowable for the same reasons explained above, in addition to reciting further distinguishing features of particular utility.

Conclusion.

In view of the foregoing amendments, Applicants respectfully submit that this application is in condition for allowance, and respectfully request the same. If, however, some issue remains that the Examiner feels can be addressed by an Examiner's Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

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